

DONALD R. ANTONELLI
MELVIN KRAUS
WILLIAM I. SOLOMON*
GREGORY B. MONTONE
RONALD J. SHORE
DONALD E. STOUT
ALAN E. SCHIAVELLI
JAMES N. DRESSER
CARL I. BRUNDIDGE*
PAUL J. SKWIERAWSKI*
HUNG H. BUI*
ALFRED A. STADNICKI*
*ADMITTED OTHER THAN VA

LAW OFFICES
ANTONELLI, TERRY, STOUT & KRAUS, LLP

SUITE 1800
1300 NORTH SEVENTEENTH STREET
ARLINGTON, VIRGINIA 22209

TELEPHONE (703) 312-6600
FACSIMILE (703) 312-6666
email@antonelli.com

OF COUNSEL
DAVID T. TERRY
HAROLD A. WILLIAMSON*
FREDERICK D. BAILEY
RALPH T. WEBB*
STERLING W. CHANDLER*
PATENT AGENT
LARRY N. ANAGNOS

VIA FACSIMILE - 12 PAGES (Including This Cover)

Commissioner for Patents
POB 1450, Alexandria, VA 22313-1450
Attention: Ms. Alicia Brown, Office of Petitions
Transmitted to Petitions Office Fax No. 703-308-6916

Re: FUJII *et al.*, Serial No. 09/517,176
Attorney Docket No. 501.37264X00
USPTO Confirmation No. 4516

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PETITIONS OFFICE

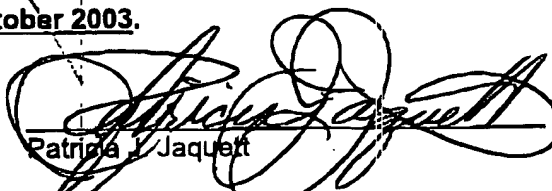
SUBMISSION OF COPY OF PETITION/ATTACHMENTS

Sir:

Applicant hereby transmits the attached "Submission of Previously Filed Petition" and attachment copies (previously-filed §181 Petition, Notice of Abandonment, Issue Fee Transmittal, Date-Stamped Postcard for Issue Fee, and Transmission Cover/ Transmission Report/USPTO Auto-Reply for Petition/Attachments) in connection with the above-identified application.

CERTIFICATE OF TRANSMISSION:

I hereby certify that the attached "Submission of Previously Filed Petition" and attachment copies (previously-filed §181 Petition, Notice of Abandonment, Issue Fee Transmittal, Date-Stamped Postcard for Issue Fee, and Transmission Cover/ Transmission Report/USPTO Auto-Reply for Petition/Attachments) is being **INFORMALLY TRANSMITTED** as a copy of a previous USPTO filing via Petitions Office Fax No. 703-308-6916 on 8 October 2003.


Patricia J. Jaquet

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501.38264X00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICEApplicant: Yoshikatsu FUJII *et al.*

Serial No.: 09/517,176

Filed: 3 March 2000

For: MAGNETIC DISK DRIVE AND METHOD
OF CONTROL OF THE DRIVE (As Amended)

Art Unit: 2651

Examiner: J.L. Habermehl

Conf. No. : 4516

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SUBMISSION OF PREVIOUSLY-FILED PETITION/ATTACHMENTS**Mail Stop Petition**

Attention: Ms. Alicia Brown

Commissioner for Patents

POB 1450

Alexandria, Virginia 22313-1450

8 October 2003

Sir:

Applicant attaches hereto copies of the following papers:

- Petition Under 37 CFR §1.181 to Withdraw Holding of Abandonment formally

filed via facsimile in the USPTO on 21 August 2003;

- Notice of Abandonment mailed 21 July 2003 (attachment to Petition);

- Fee Transmittal Form PTOL-85B formally filed in the USPTO on 11 June 2003

(attachment to Petition);

- date-stamped postcard indicating USPTO Mail Room receipt of Issue Fee

(attachment to Petition);

FUJII *et al.*, SN 09/517,176

Docket No. 501.38264X00

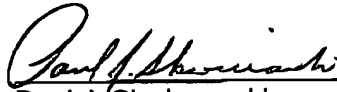
- Applicant's Transmission Cover/Certification for Petition/attachments;
- Applicant's facsimile machine transmission report for Petition/attachments; and
- USPTO Auto-Reply Facsimile Transmission Receipt for Petition/attachments.

As shown by the attached copies, Applicant formally filed the Petition and its attachments in the USPTO via completed facsimile transmission to TC 2600 After Final Facsimile No. 703-872-9315 on 21 August 2003.

In view of the *prima facie* evidence of filing presented herewith, Applicant respectfully requests entry of the attached papers as of the original filing date of 21 August 2003.

There is no requirement for a fee for entry of this Resubmission.

Respectfully submitted,



Paul J. Skwierawski
Registration No. 32,173
ANTONELLI, TERRY, STOUT & KRAUS, LLP
1300 North Seventeenth Street, Suite 1800
Arlington, Virginia 22209-3801, USA
Telephone 703-312-6600
Facsimile 703-312-6666

ATTACHMENTS:

Copies of §181 Petition/Attachments,
Fax Transmission Cover/Certification,
Machine Transmission Report, and
USPTO Auto-Reply Transmission Receipt

501.38264X00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICEApplicant: Yoshikatsu FUJII *et al.*

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Art Unit: 2651

Examiner: J.L. Habermehl

Conf. No. : 4516

FAX RECEIVED**OCT 08 2003****PETITIONS OFFICE****PETITION UNDER 37 CFR §1.181 TO WITHDRAW HOLDING OF ABANDONMENT**Commissioner for Patents
POB 1450
Alexandria, Virginia 22313-1450

21 August 2003

Sir:

A Notice of Abandonment (copy attached) was mailed 21 July 2003 in connection with the above-identified application, indicating that the application has been held abandoned for failure to timely pay the Issue Fee due 11 June 2003.

Applicant respectfully requests withdrawal of the holding of abandonment, as the present application was never abandoned.

Attached hereto is a copy of a receipt postcard itemizing the filed items of the Issue Fee Transmittal Form PTOL-85B and Credit Card Payment Form PTO-2038 on 11 June 2003, and bearing the official date stamp of the USPTO Mail Room acknowledging receipt of the items indicated, as *prima facie* evidence of the timely filing of the Issue Fee in this case. Also attached is a copy of the Issue Fee Transmittal Form PTOL-85B substantially as submitted (/s/) on 11 June 2003.

FUJII *et al.*, S.N. 09/517,176

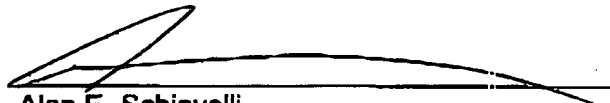
Docket No. 501.38264X00

Applicant's undersigned representative also declares that it has reviewed its records of charges presented to American Express (USPTO Payor) under Form PTO-2038, and that such records indicate payment of a charge in the amount of \$1,300.00 from American Express to the USPTO for the above-identified serial number. Therefore, Applicant is not resubmitting the Form PTO-2038, to avoid any confusion.

In accordance with MPEP §§503 and 711.03(c), Applicant respectfully requests written acknowledgment of the timely receipt by the USPTO of all requirements for issue (including the Issue Fee Transmittal Form PTOL-85B and the Issue Fee in the amount of \$1,300 by Form PTO-2038), and withdrawal of the holding of abandonment.

NO FEE IS REQUIRED FOR THIS PETITION, AND THE USPTO HAS RECEIVED THE ISSUE FEE. Therefore, only in the event that the USPTO can prove by authoritative record that any properly required fee has not been received, the undersigned authorizes such fee to be charged to ATSK Deposit Account No. 01-2135.

Respectfully submitted,



Alan E. Schiavelli
Registration No. 32,087
ANTONELLI, TERRY, STOUT & KRAUS, LLP
1300 North Seventeenth Street, Suite 1800
Arlington, Virginia 22209-3801, USA
Telephone 703-312-6600
Facsimile 703-312-6666

ATTACHMENTS:

Copy of Notice of Abandonment
Copy of Issue Fee Transmittal Form PTOL-85B filed 6/11/2003
Copy of Receipt Postcard w/Date Stamp



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22315-1450
 www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/517,176	03/02/2000	Yoshikatsu Fujii	501.38264X(1)	4516

20457 7590 07/21/2003

ANTONELLI, TERRY, STOUT & KRAUS, LLP
 1300 NORTH SEVENTEENTH STREET
 SUITE 1800
 ARLINGTON, VA 22209-9889

EXAMINER

HABERMEHL, JAMES LEE

ART UNIT PAPER NUMBER

2651

DATE MAILED: 07/21/2003

p #11

501.38264X(1)

If paid 6/11

mk/pjs

Please find below and/or attached an Office communication concerning this application or proceeding.

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PETITIONS OFFICE


UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

 Address: COMMISSIONER OF PATENTS AND TRADEMARKS
 Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
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09/517,176

EXAMINER	25
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ART UNIT	PAPER NUMBER
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DATE MAILED:

NOTICE OF ABANDONMENT

This application is abandoned in view of:

- ☐ Applicant's failure to timely file a proper response to the Office letter mailed on _____
- ☐ A response (with a Certificate of Mailing or Transmission of _____) was received on _____, which is after the expiration of the period for response (including a total extension of time of _____ month(s)) which expired on _____
- ☐ A proposed response was received on _____, but it does not constitute a proper response to the final rejection.

(A proper response to a final rejection consists only of: a timely filed amendment which places the application in condition for allowance; a Notice of Appeal; or the filing of a continuing application under 37 CFR 1.62 (FWC).)

- ☐ No response has been received.
- ☒ Applicant's failure to timely pay the required issue fee within the statutory period of three months from the mailing date of the Notice of Allowance.

☐ The issue fee (with a Certificate of Mailing or Transmission of _____) was received on _____

☐ The submitted issue fee of \$_____ is insufficient. The issue fee required by 37 CFR 1.18 is \$_____

☒ The issue fee has not been received.

- ☐ Applicant's failure to timely file new formal drawings as required in the Notice of Allowability.

☐ Proposed new formal drawings (with a Certificate of Mailing or Transmission of _____) were received on _____

☐ The proposed new formal drawings filed _____ are not acceptable.

☐ No proposed new formal drawings have been received.

- ☐ The express abandonment under 37 CFR 1.62(g) in favor of the FWC application filed on _____

☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.

☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity) under 37 CFR 1.34(a) upon the filing of a continuing application.

☐ The decision by the Board of Patent Appeals and Interferences rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.

☐ The reason(s) below:

ABANDONMENT
CONTACT PERSON IS:
TOM HAWKINS
305-8380

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PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: **Mail** Box ISSUE FEE
Commissioner for Patents
Washington, D.C. 20231
Fax (703)746-4000

501.38264X00

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 4 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Legibly mark-up with any corrections or use Block 1)

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

ANTONELLI TERRY STOUT AND KRAUS
 SUITE 1800
 1300 NORTH SEVENTEENTH STREET
 ARLINGTON, VA 22209

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Box Issue Fee address above, or being facsimile transmitted to the USPTO, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/517,176	03/02/2000	Yoshihatsu Fujii	501.38264X00	4516

TITLE OF INVENTION: IDLE SEEK CALIBRATION METHOD FOR MAGNETIC DISK DRIVE AND MAGNETIC DISK DRIVE WITH A INTERMISSION CALIBRATION

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1300	\$0	\$1300	06/11/2003

EXAMINER	ART UNIT	CLASS-SUBCLASS
HABERMEHL, JAMES LEE	2651	360-078080

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

Antonelli, Terry,
 1 Stout & Kraus, LLP
 2
 3

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. Inclusion of assignee data is only appropriate when an assignment has been previously submitted to the USPTO or is being submitted under separate cover. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Hitachi, Ltd.

Tokyo, Japan

Please check the appropriate assignee category or categories (will not be printed on the patent) ☐ individual ☒ corporation or other private group entity ☐ government

4a. The following fee(s) are enclosed:

☒ Issue Fee

☐ Publication Fee

☐ Advance Order - # of Copies

4b. Payment of Fee(s):

☐ A check in the amount of the fee(s) is enclosed.

☒ Payment by credit card. Form PTO-2038 is attached.

☒ The Commissioner is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number 01-2135 (enclose an extra copy of this form).

Commissioner for Patents is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.

(Authorized Signature)

(Date)

Aián E. Schiavelli # 32,087 6/11/03

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant, a registered attorney or agent, or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, D.C. 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

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TRANSMIT THIS FORM WITH FEE(S)

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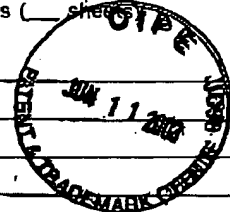
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0531776

Patent Dkt. No. 501.38264X00 Attorney Initials MK/PJS/tao
Application No. 09/517,176 Filing Date March 2, 2000
Applicant(s) Fuji, et al
Papers Filed Herewith on June 11, 2003

Receipt is hereby acknowledged of the papers filed as indicated by the checked items in connection with the above-identified application:

- | | |
|--|---|
| <input type="checkbox"/> New Application Transmittal Form | <input checked="" type="checkbox"/> Credit Card Payment Form |
| <u> </u> Pages of Specification (<u> </u> claims) | Fees \$ <u>1300.00</u> |
| <u> </u> Sheets of Drawings | <input type="checkbox"/> Amendment |
| <input type="checkbox"/> Declaration (<u> </u> pages) | <input type="checkbox"/> Response to Office Action |
| <input type="checkbox"/> Fee Transmittal Form | <input type="checkbox"/> Petition for Extension of Time (<u> </u> mos.) |
| <input type="checkbox"/> Claim for Priority | <input type="checkbox"/> Information Disclosure Statement |
| <input type="checkbox"/> Priority Documents | <input type="checkbox"/> PTO-1449 <input type="checkbox"/> Copies of References |
| <input type="checkbox"/> Assignment Papers | <input type="checkbox"/> Revised Drawings (<u> </u> sheets) |
| <input checked="" type="checkbox"/> Issue Fee Transmittal | <input type="checkbox"/> Notice of Appeal |
| <input type="checkbox"/> Other <u> </u> | |



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LAW OFFICES
ANTONELLI, TERRY, STOUT & KRAUS, LLP

SUITE 1800
1300 NORTH SEVENTEENTH STREET
ARLINGTON, VIRGINIA 22209

TELEPHONE (703) 312-6600
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DAVID T. TERRY
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RANDALL S. SVIHLA
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PATENT AGENT
LARRY N. ANAGNOS

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Commissioner for Patents
POB 1450, Alexandria, VA 22313-1450
Attention: J.L. Havermehl, Group AU 2651
Transmitted to TC 2600 AFTER FINAL Fax No. 703-872-9315

Re: FUJII *et al.*, Serial No. 09/517,176
Attorney Docket No. 501.37264X00
USPTO Conf. No. 4516

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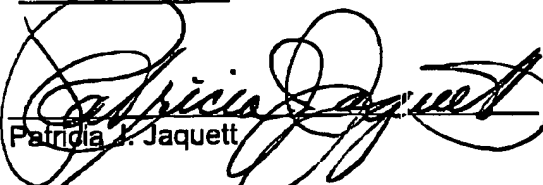
SUBMISSION OF PETITION TO WITHDRAW HOLDING OF ABANDONMENT

Sir:

Applicant hereby formally submits the attached "Petition Under 37 CFR §1.181 to Withdraw Holding of Abandonment" (2 pgs.) with copies of Notice, Issue Fee Transmittal and Date-Stamped Postcard (4 pgs.) for the above-identified application.

CERTIFICATE OF TRANSMISSION:

I hereby certify that the attached "Petition Under 37 CFR §1.181 to Withdraw Holding of Abandonment" (2 pgs.) with copies of Notice, Issue Fee Transmittal and Date-Stamped Postcard (4 pgs.) are being **FORMALLY** filed in the USPTO via TC 2600 AFTER FINAL Fax No. 703-872-9315 on 21 August 2003.


Patricia J. Jaquett

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HUNG H. GUY*
ALFRED A. STADNICK*
*ADMITTED OTHER THAN VA

LAW OFFICES
ANTONELLI, TERRY, STOUT & KRAUS, LLP

SUITE 1800
1300 NORTH SEVENTEENTH STREET
ARLINGTON, VIRGINIA 22209

TELEPHONE (703) 312-6600
FACSIMILE (703) 312-6666
email@antonelli.com

OF COUNSEL
DAVID T. TERRY
HAROLD A. WILLIAMSON*
RANDALL S. SVILA
GEORGE N. STEVENS*
FREDERICK D. BAILEY
DAVID O. CREN
RALPH T. WEBB*
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PATENT AGENT
LARRY N. ANAGNOS

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Attention: J.L. Havermehl, Group AU 2651
Transmitted to TC 2600 AFTER FINAL Fax No. 703-872-9315

Re: FUJII et al., Serial No. 09/517,176
Attorney Docket No. 501.37264X00
USPTO Conf. No. 4516

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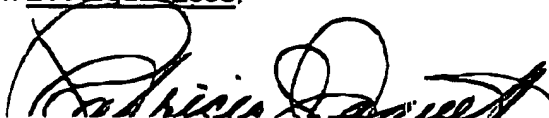
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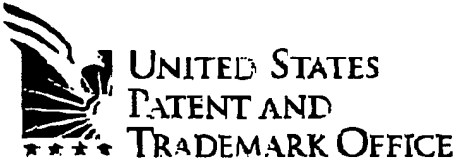
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Auto-Reply Facsimile Transmission



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Cover
Page
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08/21/03 THU 10:11 FAX 703 312 6666 ATSK

LAW OFFICES
ANTONELLI, TERRY, STOUT & KRAUS, LLP
SUITE 1000
1300 NORTH SEVENTEENTH STREET
ARLINGTON, VIRGINIA 22209
TELEPHONE (703) 312-6600
FACSIMILE (703) 312-6666
ant@antonelli.com

OF COUNSEL
DAVID E. HOFFER
MARJORIE S. WELLS-MARTY
KATHARINE J. SPALLA
GEORGE A. STEVENSON
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Commissioner for Patents
POB 1450, Alexandria, VA 22313-1450
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Applicant hereby formally submits the attached "Petition Under 37 CFR §1.181 to Withdraw Holding of Abandonment" (2 pgs.) with copies of Notice, Issue Fee Transmittal and Date-Stamped Postcard (4 pgs.) for the above-identified application.

CERTIFICATE OF TRANSMISSION:

I hereby certify that the attached "Petition Under 37 CFR §1.181 to Withdraw Holding of Abandonment" (2 pgs.) with copies of Notice, Issue Fee Transmittal and Date-Stamped Postcard (4 pgs.) are being **FORMALLY** filed in the USPTO via TC 2600 AFTER FINAL Fax No. 703-672-9315 on 21 August 2003.

Patricia Jaquet
Patricia Jaquet

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